

Notice of Allowability

Application No.

09/831,147

Examiner

Lisa M Caputo

Applicant(s)

FRANCOIS, MAUREL

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 9 December 2003.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☒ The drawings filed on 7 May 2001 and 24 October 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 4/1/04.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Amendment

1. Receipt is acknowledged of the amendment filed 9 December 2003.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Penny Caudle and James LaBarre on 1 April 2004.

The application has been amended as follows:

In the claims:

Regarding claim 1, line 9: The word "it" has been replaced with --said response--.

Regarding claim 2, line 1: The phrase "A system for customizing smart cards according to Claim 1" has been replaced with --The smart card customizing system of claim 1--.

Regarding claim 3 line 1: The phrase "A system for customizing smart cards according to claim 1" has been replaced with --The smart card customizing system of claim 1--.

Regarding claim 4, line 1: The phrase "A system according to Claim 1" has been replaced with --The smart card customizing system of claim 1--.

Regarding claim 5, line 1: The phrase "A system according to Claim 4" has been replaced with --The smart card customizing system of claim 4--.

Regarding claim 6, line 1: The phrase "A system according to Claim 5" has been replaced with --The smart card customizing system of claim 5--.

Regarding claim 7, line 1: The phrase "A system for customizing smart cards according to claim 1" has been replaced with --The smart card customizing system of claim 1--.

Regarding claim 8, line 1: The phrase "A system for customizing smart cards according to claim 1" has been replaced with --The smart card customizing system of claim 1--.

Cancel claims 18-20.

Allowable Subject Matter

3. Claims 1-17 are allowed.
4. The following is an examiner's statement of reasons for allowance:

The best prior art of record (Goman) fails to teach a smart card customizing system wherein the card issuer management interface receives customizing requests from the customizing stations and transmits them to the server as recited in independent claim 1. Further, the best prior art of record fails to teach that the requests received from the customizing stations are delivered to additional devices as recited in independent claim 13. Therefore, independent claims 1 and 13, and their dependent claims are allowed.

Hence the best prior art of record fails to teach the invention as set forth in claims 1-17 and the examiner can find no teaching of the specific smart card customizing system, nor reasons within the cited prior art or on her own to combine the elements of these references other than the applicant's own reasoning to fully encompass the current pending claims. In addition, see applicant's reasoning in amendment/response filed 9 December 2003.

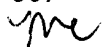
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Lisa M. Caputo** whose telephone number is **(571) 272-2388**. The examiner can normally be reached between the hours of 8:30AM to 5:00PM Monday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached at **(571) 272-2398**. The fax phone number for this Group is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [lisa.caputo@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.


LMC
April 1, 2004



DIANE I. LEE
PRIMARY EXAMINER